

IN THE DRAWINGS

Applicants propose to label the blocks in Figs. 1 and 3 of the drawings and to cancel Fig. 2 from sheet 2/2 of the drawings, in accordance with the accompanying ANNOTATED SHEETS SHOWING CHANGES.

Enclosed herewith are REPLACEMENT SHEETS (1/3 and 2/3) in which the above changes have been incorporated.

Applicants further propose to add a NEW SHEET (3/3) containing Fig. 2 in which the blocks therein have the appropriate reference numbers and contain descriptive labels.

REMARKS

The Examiner has commented that "applicant has not filed a certified copy of the 02077688.6 application as required by 35 U.S.C. 119(b)." ."

Applicants submit that it is not necessary for Applicants to file such a certified copy of the Priority Document. According to MPEP §1893.03(c)(II), since this is the National Stage of a PCT application, it is acceptable that such a document be supplied by WIPO with the appropriate designations thereon. Applicants have checked on PAIR and such a Priority Document was indeed filed by WIPO. Attached is a copy from PAIR of the Priority Document.

Applicants therefore respectfully request that the Examiner acknowledge receipt of the certified copy of the Priority Document.

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

The Examiner has objected to claims 4 and 9 as failing to particularly point out and distinctly claim the subject matter, in that there is no scope to the term "proximity".

Applicants submit that the claims should be read in light of the specification which describes the setting of the invention as being, for example, within a room. Hence, the term "proximity" should be taken within the context of being inside a room. However, Applicants have nonetheless amended claims 4 and 9 to include the limitation "setting the property of the ambient light generated by

the at least one ambient light source that is closer to the presentation device". This is supported in the specification as filed on page 5, lines 15-21.

Applicants believe that the above changes answer the Examiner's objection to the claims and respectfully request withdrawal thereof.

The Examiner has rejected claims 1 and 4-11 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,166,496 to Lys et al. The Examiner has further rejected claims 2 and 3 under 35 U.S.C. 103(a) as being unpatentable over Lys et al. in view of U.S. Patent 6,548,967 to Dowling et al.

The Lys et al. patent discloses a lighting entertainment system in which lighting elements are controlled by a lighting signal. As noted in the Abstract, "A system is provided for combining an illumination control signal and an entertainment signal. At a decoder, the combined signal may be decoded into an entertainment signal that is delivered to an entertainment device, and an illumination control signal that is delivered to an illumination source."

As noted in MPEP §2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v.*

Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Independent claims 1 and 8 include the limitations "analyzing the received video signal to determine video properties of the video signal" and "setting a property of ambient light generated by the at least one ambient light source based upon the determined video properties".

The Examiner indicates that Lys et al. teaches analyzing the video signal, and setting a property of the ambient light based upon the analyzed video signal, and references Fig. 85, and col. 47, line 60 to col. 49, line 8.

Applicants submit that the Examiner is mistaken. In particular, as indicated in Lys et al. at col. 9, line 41 to col. 10, line 27, the Lys et al. system is based on the control of light modules 100 using a lighting control signal from a control device 504. Continuing on, Lys et al. describes the embodiment of Fig. 85 at col. 47, lines 61-67, "the signal-generating device 504 may be a generator of a television, stereo, or other conventional electronic entertainment signal. That is, the lighting control signal can be embedded in any music, compact disc, television, videotape, video game, computer web site, cybercast or other broadcast, cable, broadband or other communications signal." Lys et al. further describes this system with reference to Fig. 86, and states, at col. 48, lines 29-32, "Referring to FIG. 86, lighting control data may be added to the signal generated by the signal generator through use of a data encoder or multiplexor 508." Further, at col.

48, lines 53-58, Lys et al. states "A decoder 518 may be designed to separate the lighting control data from the entertainment signal. The decoder 518 may be a decoder box similar to that used to decode closed-captioning or other combined signals". Hence, while Lys et al. is arguably analyzing the television signal, it is detecting the encoded lighting control signal, and not video properties of the video signal.

The subject invention, on the other hand, analyzes the video signal to determine video properties of the video signal. This is supported in the specification as filed in which, at page 4, line 20 to page 5, line 2, it is indicated that the analysis includes "calculating the average color for the received video signal", or "the most prominent color, the color at the corners of the image frame, etc. can be calculated too", or "the distribution of the color over the image can be used".

Applicants further submit that Lys et al. sets a property of ambient light generated by the at least one ambient light source based upon the detected light control signal (that was previously embedded in the television signal), and not on determined video properties of the video signal.

The Dowling et al. patent discloses universal lighting network methods and systems in which a "smart lighting element in a display" collects information including the facial expressions of customers when viewing a display. "Such information may further be correlated with information such as sales data, e.g., collected at check-out lines, cash registers, or other inventory systems, to

determine the overall effectiveness of retail displays and advertisements." (col. 10, lines 47-51). However, there is no disclosure or suggestion as to how this information can be used to control ambient lighting.

The Examiner states "It would have been obvious at the time the invention was made to one of ordinary skill in the art to modify the Lys reference to utilize face recognition and expression recognition as suggested by Dowling, to "gauge customer's interest in...a retail display [to] determine the overall effectiveness of retail displays and advertisements".

Applicants submit that the Examiner is mistaken. In particular, Dowling et al. merely discloses detecting facial expressions of customers and analyzing this with other data to determine the effectiveness of displays. There is no disclosure of how this could be used to control lighting. Further, Lys et al. merely discloses detecting a lighting control signal previously embedded in a television signal, and controlling lighting elements using the lighting control signal. It is unknown how Dowling et al. could be combined with Lys et al. to arrive at the subject invention.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-11, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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~~1/2~~ 1/3

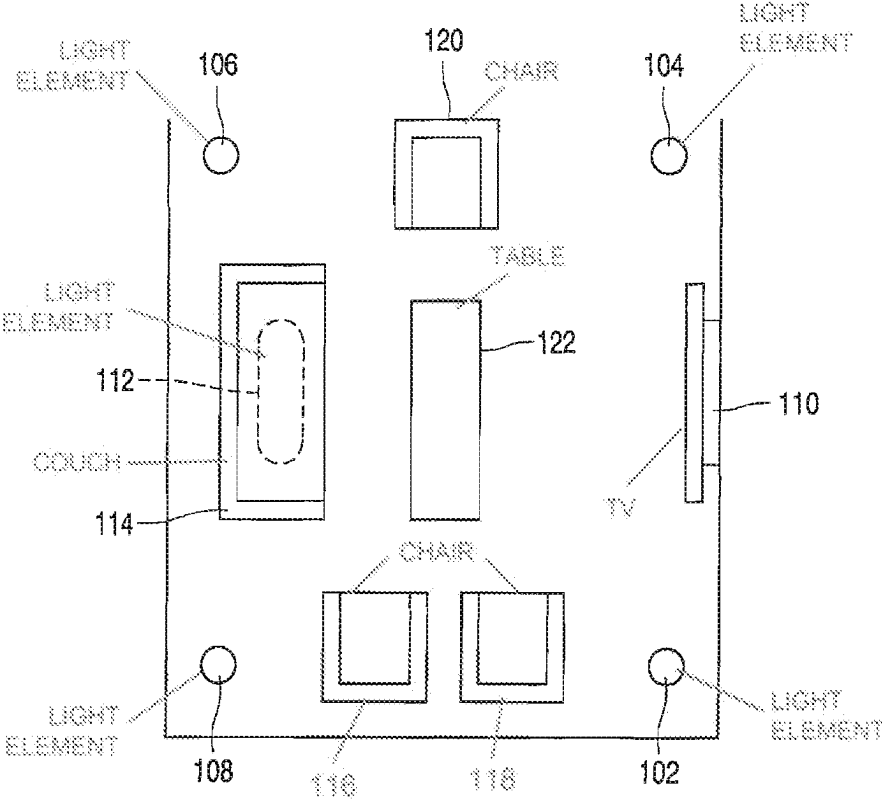


FIG. 1

ANNOTATED SHEET SHOWING CHANGES

~~2/2~~ 2/3

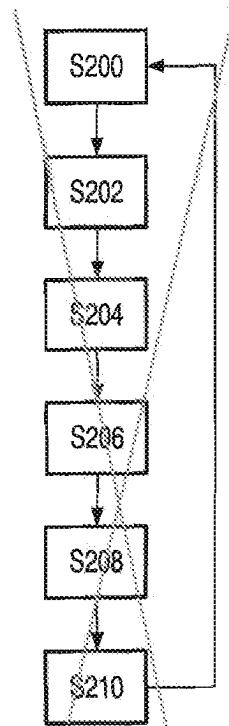


FIG. 2

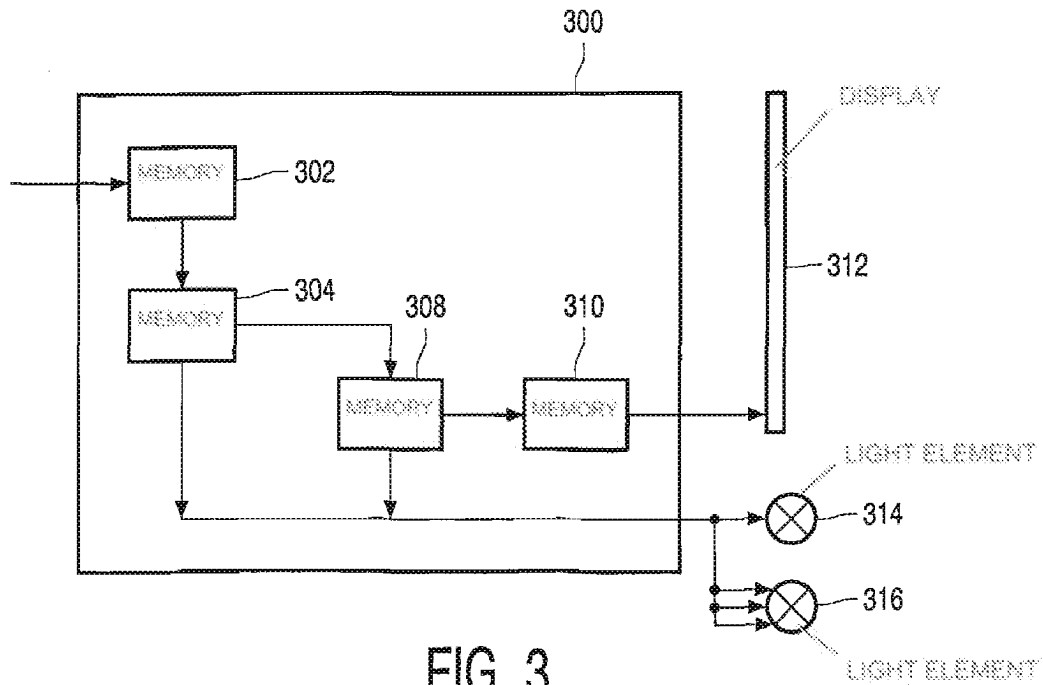


FIG. 3